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February 15, 2023

Via ECF

Hon. Paul G. Gardephe, United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007-1312

Re: USA v. Stuart Finkelstein
Docket No. 21-Cr-217 (PGG)

Dear Judge Gardephe:

I represent Mr. Finkelstein in the above matter. Sentencing is set for March 2, 2023 at 2 PM. I am respectfully requesting an adjournment of sentencing. As noted in my previous request, Mr. Finkelstein is currently receiving treatment for a number of medical issues. Two weeks ago, he had the first two of several oral surgeries and must now wait for those surgeries to heal before further oral surgeries. In addition, he is currently undergoing steroid treatments for cervical spine, lumbar spine, knee, and shoulder injuries; each of those four injuries will require surgery, which he cannot have until he has completed the oral surgery series referenced above.

In addition, as a result of my own illness, I was out of work from January 14, 2023 until Monday, February 6, 2023, and was unable to work on Mr. Finkelstein's case. Given Mr. Finkelstein's medical issues, and my recent illness, I am respectfully requesting an adjournment of sentencing until late April. The Government has no objection to my request for the adjournment.

Thank you for your consideration in this matter.

Very truly yours,


David K. Bertan, Esq.

cc: AUSA Rushmi Bhaskaran (via ECF)